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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,962	09/10/1999	LESTER D. NELSON	103589	3538

25944 7590 09/26/2002

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EXAMINER

TAYLOR, LARRY D

ART UNIT PAPER NUMBER

2876

DATE MAILED: 09/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/393,962

Examiner

Larry D Taylor

Applicant(s)

NELSON ET AL. *he*

Art Unit

2876

-- The MAILING DATE of this communication appears in the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Application/Control Number: 09/393,962
Art Unit: 2876

DETAILED ACTION

Receipt of Amendment

1. Receipt is acknowledged of the amendment filed 18 March 2002.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichek et al. (US 5,960,448, of record) in view of Wittensoldner et al. (US 5,144,114).

Reichek teaches a system for controlling a presentation, wherein a bar code scanner senses a bar-coded presentation element identifier 1410 on a document (see col. 3, lines 55+ and figure 14). Controller 260 recognizes the scan and uses presentation database memory 240 to select the respective presentation element stored therein. Once selected, the presentation element is displayed on display device 121, which could be a screen projector, flat panel display, or overhead projector (col. 4, lines 26-31). The bar-coded document, generated by the system, may simply be a hard copy sheet of paper.

Reichek, however, fails to teach the presence of a control element identifier that associates a control element, the control element to be sensed by the controller and affects the

Art Unit: 2876

presentation element in a predefined manner other than by visual modification of the presentation element.

Wittensoldner teaches a scanner system, in which the scanning of a bar code on a label increases or decreases the volume of an audible speaker used with the system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ such a barcode to affect the presentation in a similar manner. Within the realm of scanning the bar codes to show documents and other elements stored (as in Reichel), having a bar code to change the start the presentation, stop it, rewind it a frame, or change the volume of the presentation would be fall accordingly. Having this feature continues the automated operation of the presentation and provides convenience as it alleviates the need for handling extraneous devices to control the presentation, such as an attached, but separate speaker/amplifier device or playback device (similar to a VCR). The presenter would merely start or stop the presentation or change the volume by merely swiping a bar code, providing an easy and timing saving step.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 9, and 16 have been considered but are moot in view of the new ground(s) of rejection.

In response to the arguments regarding the sensing of control elements, the Examiner presents the teachings of Wittensoldner as evidence of scanning bar codes to affect a change in the volume of system. It would have been obvious to use the teachings of the new art with document presentations. It is also known in the art of presentations to affect the starting and stopping of document retrieval/reproducing. This concept is well known as such software

Art Unit: 2876

applications as Windows PowerPoint are used in venues to make presentations, the application used by a presenter with a small computer (laptop) and sensing device.

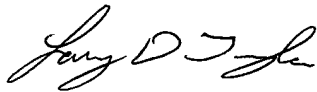
Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Nelson et al. (US 6,195,093 B1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D Taylor whose telephone number is (703) 306-5867. The examiner can normally be reached on M-F (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on (703)-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-746-4784 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Larry D Taylor
September 23, 2002



MICHAEL G LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800